

REMARKS

The Abstract is objected to. Claims 1-14 are pending in the application. Claims 1-4, 7-11, 12 and 13 are rejected. Claims 5, 6 12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claims 1-5 and 8-12 are amended. New claims 15 and 16 are added.

The Abstract is amended to meet the objections raised in § 1 of the Office Action.

Regarding §2 of the Office Action, it is submitted that alternation between first and second oscillator frequencies does not necessarily require two oscillators, as indicated in the passage bridging pages 6 and 7 of the specification as filed. Claims 3 and 8-14 are amended to meet the other objections raised in §2 of the Office Action.

Claim Rejections - 35 USC § 102

Claims 1-2, 7-9 and 14 are rejected under 35 U.S.C. 1 02(e) as being anticipated by Henriksson US Patent Application Publication No. 6,829,469. The rejection is respectfully traversed.

It is submitted that the subject matter of those claims was not described in Henriksson and was not obvious at the time the invention was made to a person having ordinary skill in the art.

Present claim 1 as amended recites “frequency alternation means for causing said local oscillator frequency to alternate relative to said carrier frequency a plurality of times during said reception time slots of each of said frames between first and second values one of which is greater and the other smaller than said carrier frequency.”

It is respectfully submitted that Henriksson does not teach a “structure ... capable of alternating between a first value and a second value one of which is greater and the other smaller than the desired carrier frequency of the input signal” as stated in the Office Action. In the passage at col. 3, lines 37-45 of Henriksson referred to in the Office Action, the structure shown in Fig. 1 functions under conditions of frequency hopping. One of the local oscillators ('LO') supplies a LO frequency suitable for the current input carrier frequency while the other LO is changing its frequency to correspond to an input carrier frequency that will be used in a future time-slot. There is no disclosure that the LO frequencies could alternate relative to the carrier frequency between values one of which is greater and the other smaller than the carrier frequency (emphasis added), as specified in present claim 1. Instead of alternating relative to the

input carrier frequency, the LO frequency utilised remains constant relative to the current carrier frequency and only changes when the current input carrier frequency changes, then again remaining constant at the new value. There is no alternation between values one of which is greater and the other smaller than a carrier frequency, as recited in claim 1. It is submitted that Henriksson does not disclose the structure and features recited in claim 1.

In embodiments of the present invention described in this application, the alternation of the LO frequency relative to the carrier frequency between values one of which is greater and the other smaller than the carrier frequency enables the average impact of interferers to be reduced, as stated at page 6 lines 23-25 of the present specification. It is submitted that this advantage is not foreshadowed by the prior art cited and that the invention claimed in claim 1 is not obvious, at least for this reason.

Accordingly, it is submitted that claim 1 is novel and non-obvious in view of the prior art cited and is allowable. The Office Action rejects claim 8 for the same reasons as claim 1; the Applicant applies the above submissions to claim 8 and it is submitted that claim 1 is novel and non-obvious in view of the prior art cited and is allowable. Claims 2-4, 7 and 15 depend from claim 1 and Claims 9-11, 14 and 16 depend from claim 8 and are submitted to be allowable at least for this reason. Claims 5, 6, 12 and 13 have been rewritten in form independent of any rejected claims and are submitted to be allowable, as stated in the Office Action.

Although Applicants may disagree with statements made by the Examiner in reference to the claims and the cited references, Applicants are not discussing all these statements in the current Office Action since reasons for the patentability of each pending claim are provided without addressing these statements. Therefore, Applicants reserve the right to address these statements at a later time if necessary.

No amendment made herein is related to the statutory requirements of patentability unless expressly stated herein. Further, no amendment herein is made for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 503079.

Respectfully submitted,

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